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9 LAND RESOURCE INVESTMENTS, INC;
10 LAND RESOURCE MANAGEMENT, INC; and
11 MARINA COMMERCIAL OFFICES, LLC

12 **UNITED STATES FEDERAL DISTRICT COURT**
13 **FOR THE DISTRICT OF NEVADA - NORTHERN DIVISION**

14 RALPH STEPHEN COPPOLA; DOES I to
15 XX,

16 Plaintiffs,

17 vs.

18 DARREN K. PROULX; LAND RESOURCE
19 INVESTMENTS, INC., LAND RESOURCE
20 MANAGEMENT, INC.; MARINA
21 COMMERCIAL OFFICES, LLC; and DOES I
22 to XX,

23 Defendants.

24 Case No. 3:2011-CV-00074

25 DEFENDANTS' OPPOSITION TO
26 MOTIONS TO INTERVENE/FOR
27 JOINDER

28 **DEFENDANTS' OPPOSITION TO MOTIONS TO INTERVENE/FOR JOINDER**

29 COME NOW, Defendants DARREN K. PROULX, LAND RESOURCE
30 INVESTMENTS, INC., LAND RESOURCE MANAGEMENT, INC., and MARINA
31 COMMERCIAL OFFICES, LLC, by and through their counsel of record, Alessi & Koenig,
32 LLC, and hereby submit Defendants' Opposition to Motions to Intervene/for Joinder.

33 Said opposition is made and based upon the attached Memorandum of Points and
34 Authorities, the pleadings and papers on file herein, and any argument of counsel the court may
35 consider at the hearing on said motions.

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2 I. SUMMARY

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4 Each of the motions to intervene should be denied because: (1) Mr. Coppola has engaged
5 in the unlicensed practice of law in generating and filing these motions; and (2) the motions to
6 intervene do not contain any factual allegations to show that the requirements of compulsory or
7 permissive joinder are satisfied.

8 II. ARGUMENT

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10 A. MR. COPPOLA HAS ENGAGED IN THE UNLICENSED PRACTICE OF LAW BY
11 FILING THESE MOTIONS ON BEHALF OF PURPORTED *PRO SE* PARTIES

12 In Defendants' Counter Motion for Summary Judgment/Adjudication filed against
13 Plaintiff, Stephen Coppola, Defendants observed that if the "Doe Plaintiffs" of Mr. Coppola's
14 complaint became actual flesh-and-blood plaintiffs, then Mr. Coppola (who is only licensed to
15 practice law in California) would be engaged in the unlicensed practice of law. Mr. Coppola
16 seems to have taken that observation as a dare. He has now generated and filed a "Motion for
17 Joinder and Notice to Court of Related Case" on behalf of seven purportedly interested parties.

18 All of the motions are identical. They are also drafted in the exact style of Mr. Coppola's
19 other pleadings. Each motion contains identical language, requesting "joinder in the above-cited
20 case as a plaintiff in causes of action 1 through 17, and 20 through 25, therein." Further, each
21 one contains a superfluous "Notice to Court of Related Case," which informs the court that a
22 number of persons will be filing a separate lawsuit should the motion be denied.

23 By way of example, the motion filed on behalf of Edith Agustin reads:

25 The plaintiffs who will be named in the possible related case include, but are not
26 limited to:

27
28 1. FE P. ASTRERO
2. MENCHIE DE. EUGENIO

- 1 3. BELEN LUMAS
- 2 4. FLORA LUMAS FEQUERRAS
- 3 5. JOSEPH IBANEZ

4 What possible interest could the purported *pro se* party have in providing notice to the
5 court that a hypothetical future case will include these specific persons as plaintiffs? This
6 procedurally pointless “notice” serves no purpose other than to provide a means for Mr. Coppola
7 to threaten his former client, Darren Proulx, with the names of other property owners who he is
8 purportedly recruiting to his cause. For all the foregoing reasons, it does not require forensic
9 analysis to see that Mr. Coppola drafted every one of these motions, despite the fact that he does
10 not have a Nevada license.

12 Furthermore, the joinder of plaintiffs to Mr. Coppola’s lawsuit would have the effect of
13 permitting Mr. Coppola to engage in the unlicensed practice of law for the additional reason that
14 he expressly brought the complaint on behalf of third parties (i.e. his “doe” plaintiffs). For
15 example, the tenth cause of action is “Brought By LBIII Plaintiffs Against Selling Defendants.”
16 (1st Amended Complaint, page 27, lines 17 through 19.) Evidently, Mr. Coppola generated this
17 cause of action with the intention of recruiting owners in Land Bank III then generating motions
18 to intervene for them. Mr. Coppola appears to believe that he avoids the unlicensed practice of
19 law as long as his pleadings never expressly state that he is acting on behalf of named third
20 persons (as opposed to fictional “does.”) He is wrong. By drafting the lawsuit on behalf of third
21 persons (who were originally “does,” but are now purportedly real persons attempting to join as
22 plaintiffs), and by drafting motions on behalf of third persons, Mr. Coppola has engaged in the
23 unlicensed practice of law. The Court cannot sanction this misconduct. Therefore, the motions
24 to intervene should be denied.
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1 B. THE MOTIONS FAIL TO ADDRESS ANY OF THE REQUIREMENTS OF FRCP 19
2 OR FRCP 20

3 FRCP 19 requires the joinder of a party if:

4 (A) in that person's absence, the court cannot accord complete relief among
5 existing parties; or
6 (B) that person claims an interest relating to the subject of the action and is so
7 situated that disposing of the action in the person's absence may:
8 i. as a practical matter impair or impede the person's ability to protect the
9 interest; or
10 ii. leave an existing party subject to a substantial risk of incurring double,
11 multiple, or otherwise inconsistent obligations because of the interest.

12 FRCP 20 permits persons to join in an action as plaintiffs if:

13 (A) they assert any right to relief jointly, severally, or in the alternative with
14 respect to or arising out of the same transaction, occurrence, or series of
15 transactions or occurrences; and
16 (B) any question of law or fact common to all parties will arise in the action.

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18 Here, none of the motions provide any factual allegations whatsoever. Therefore, the
19 purported interested parties – via the motions Mr. Coppola drafted for them – have completely
20 failed to show that the requirements for compulsory or permissive joinder are satisfied
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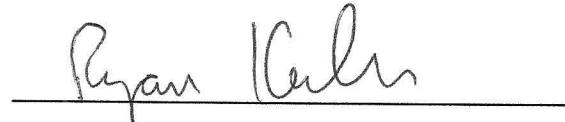
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23 III. CONCLUSION
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25 For the above-stated reasons, Defendants respectfully request that the motions be denied.
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1 DATED this 22nd day of August, 2011.
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ALESSI & KOENIG, LLC

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Ryan Kerbow (NV SBN 11403)
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2011, I electronically filed the foregoing DEFENDANTS' OPPOSITION TO MOTIONS TO INTERVENE/FOR JOINDER with the Clerk of the Court by using the CM/ECF system, and that service will be accomplished on all counsel and persons requesting notice by the court CM/ECF system.

I also sent a copy of said document via US Mail, postage prepaid, to the following:

Ralph Stephen Coppola
4785 Rio Pinar Drive
Reno, NV 89509

Ryan Kehr
An employee of Alessi & Koenig, LLC